

SINDH ACT NO.XXVI OF 2016

SINDH SACKED EMPLOYEES' (REINSTATEMENT) ACT, 2016.

[16th October, 2016]

to provide relief to persons in corporation service or autonomous or semi-autonomous bodies or in Government service who were dismissed, removed or terminated from service.

WHEREAS it is expedient for the purpose of providing relief to persons who were employed in a corporation service or autonomous or semi-autonomous bodies or in Government service and were dismissed, or removed or terminated from service during the period starting from the 3rd day of February, 1997 to the 18th day of February, 2008, on account of political victimization.

Preamble

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Sacked Employees' (Reinstatement) Act, 2016.

Short title, extent and commencement.

(2) It extends to the whole of the Province of Sindh.

2. In this Act unless there is anything repugnant in the subject or context:-

Definitions.

(a) "employer" means the Government of Sindh or Department of the Government of Sindh or a corporation or organization or autonomous or semi-autonomous body established by or under any law promulgated or enacted by Provincial Assembly of Sindh or Governor of Sindh or owned or controlled by Government of Sindh;

(b) "sacked employee" means a person who was employed as a regular or adhoc or on contract basis or otherwise in service of employer or who was a member of the civil service of the Province of Sindh or who held a civil post in connection with the affairs of the Province of Sindh, or Department and was dismissed, removed or terminated from service during the period from the 3rd day of February, 1997 to the 18th day of February, 2008 (both days inclusive) and who was subsequently re-instated in service at the recommendation of the committee;

(c) words referring to singular shall also refer to plural and vice versa and words referring to masculine gender shall also include feminine gender and vice versa.

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3. Notwithstanding anything contained in any law, for the time being in force, or any judgment of any tribunal or any court including the High Court and the Supreme Court or any terms and conditions of appointment on contract basis or otherwise, all employees to which the provisions of this Act apply, shall deemed to have been validly reinstated in service of employer in the scale, grade, group, cadre, post or designation, whatever the case may be, as held by the employee at the time of his dismissal, or removal or termination from service on regular basis with effect from the date of his re-instatement.

Regularization of re-instatement of employees in service.

4. Subject to provisions of this Act sacked employees shall be entitled to all service benefits applicable as case to case as provided under the prevailing laws relating to Sindh Civil Servants.

Promotion and other benefits.

5. (1) The provisions of this Act shall have effect, notwithstanding anything to the contrary contained in any other law, for the time being in force, or in any judgment of any tribunal or court including the High Court and the Supreme Court;

Act to override other laws.

(2) Provisions of this Act shall supersede any law, rules or procedure applicable or in force in any corporation or autonomous or semi-autonomous organization or Government service, to the extent and whenever and wherever any inconsistency arises.